

EXHIBIT A

The American Registry of Radiologic Technologists®

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May 26, 2005

Larry Gantt, Esq.
151 South Main Street, Suite 305
New York City, NY 10956

Re: Donald N. Papay, ARRT No. 320350

Dear Mr. Gantt:

I write in response to your letter dated April 29, 2005. On behalf of Mr. Donald Papay, you have requested a review of all examinations taken by Mr. Papay between March 1998 and April 2005. During this time period Mr. Papay completed seven forms of the *Examination in Radiography*. His scaled scores ranged from 71 to 74; a scaled score of 75 is required to pass. Your letter indicates that Mr. Papay believes that ARRT made an error in scoring one or more of his examinations.

ARRT policy permits candidates to request a rescore of their examination. This policy is documented in the certification handbook received by all candidates when they apply for examination. In 1998, when the *Examination in Radiography* was given in paper and pencil form, requests rescoring must have been requested within 90 days of the exam administration date. Examinations are now administered by computer and exam results are reported more quickly; consequently, the policy has changed. As indicated in the 2005 certification handbook, candidates must request a rescore within 14 days of scores being mailed by ARRT. The request must be accompanied by a fee of \$25. Mr. Papay's most recent exam results were mailed to him on April 8, 2005. Copies of the rescore policy from the 1998 and 2005 certification handbooks are enclosed for your review.

The ARRT does not release previous forms of an examination because doing so would compromise the security of the test questions. As with most credentialing agencies, the ARRT reuses test questions. One reason for reusing questions is that it improves exam quality. By pilot testing questions as unscored questions before using them as scored questions, we obtain data that allows us to determine the difficulty and evaluate the quality of those questions. A second reason is that question reuse controls costs to candidates by dramatically reducing the number of new questions that need to be developed. If ARRT released previous forms of an examination, it is possible that the exam questions would be distributed and reviewed by candidates who have not yet taken the exam, thereby placing them at an unfair advantage. Furthermore, these candidates are likely to focus on memorizing specific test questions rather than learning the broader content domain from which the questions were sampled, and this would undermine the integrity of the entire credentialing process.

The policies outlined above probably do not address Mr. Papay's real concern – his belief that ARRT made an error in developing the answer key or in scoring the exam – and I am reluctant to close this correspondence without attempting to offer some assurances. The ARRT relies on panels of subject matter experts from around the country to develop its examinations and review them for accuracy. We also have an extensive program for pilot testing and evaluating questions before they are used as "live"

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scored questions. In addition, we have a fail-safe system for scoring exams; errors are virtually non-existent. I have enclosed two brochures that describe our exam development and scoring procedures; please take a few moments to review them.

Mr. Papay has clearly devoted significant time and effort to becoming certified in radiography. If I can provide any assistance to you or him in interpreting his score reports, do not hesitate to write or call.

Sincerely,

Mark Raymond, PhD
Director
Psychometric Services

enclosures (4)

After the Examination, continued

Appeals of Exam Scoring

The ARRT employs several quality control procedures to ensure that all examinations are scored with complete accuracy. However, candidates may request a review of the accuracy of the scoring process if they feel an error has occurred.

Candidates who wish a review of scoring must send a letter of request — detailing the specific reason a scoring error is suspected. Requests must be postmarked within 14 days of the score report having been mailed by ARRT and must be accompanied by a \$25 fee. The ARRT will review the candidate's responses to each question, compare those responses to the answer key, and recalculate both raw scores and scaled scores.

Candidates will be informed of ARRT's findings within 30 days of receiving the written request. If ARRT finds evidence of any scoring error, the original score will be canceled and the candidate will be notified of his or her corrected score.

Re-examination

Candidates who previously failed the examination may submit a re-examination application and fee. Failing candidates receive the form and information with their score reports. ARRT will return re-examination applications and fees that arrive at the ARRT office less than 30 days before the three-year limit expires (see following "Three-Attempt, Three-Year Limit" section).

Three-Attempt, Three-Year Limit

Candidates who are eligible for a primary certification are allowed three attempts to pass the exam. They must complete the three attempts within a three-year period of time that begins with the initial examination window start date. After three unsuccessful attempts or three years have expired, the individual is no longer eligible.

The individual may obtain eligibility to retake the examination one additional time by submitting to ARRT documentation indicating that, since the last examination attempt, the individual has completed remedial activities acceptable to the ARRT. The final attempt must occur within one year after the third unsuccessful attempt or three-year end date.

Remediation options are:

1. **Independent Study.** The individual studies the content areas for examination on his or her own. A minimum of 40 hours is required.
2. **Study with an ARRT-Certified Technologist.** The individual studies the content areas for examination with an ARRT technologist certified in the examination category. A minimum of 20 hours is required. All 20 hours must actually be spent with the certified technologist.
3. **Study with an Educator from an Accredited Educational Program.** The individual studies the content areas for examination with a program director or other educator from an approved radiologic technology program. A minimum of 10 hours is required. The 10 hours must be actual time spent with the educator.

Those failing the fourth attempt, or waiting longer than one year following the third unsuccessful attempt, may subsequently become eligible only by once again successfully completing the didactic and clinical competency requirements of an accredited educational program.

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1. 8 Handbook

Delayed Score Reporting

If information supplied by the examinee on the application form is inaccurate or incomplete, the ARRT holds score results for six months after the exam administration date. After six months the scores are canceled; the examination attempt counts in the 3-attempt, 3-year rule. If investigation determines that the applicant was ineligible to take the examination, scores are canceled. Fees are not refunded in such cases.

The most common reason for delayed reporting of scores is the lack of verification of the successful completion of the educational program (see "Eligibility Deadlines" section for more information).

F. Re-Scoring (Verification of Scores)

Quality control procedures are routinely performed to ensure the accuracy of optical scanning of answer sheets. For all examinees who miss a passing score by one question, answer sheets are re-scored by hand. Additional re-scoring can be requested for a service fee of \$15.00. All requests for score verification must be postmarked within 90 days of the administration date and must include the re-scoring fee of \$15.00.

G. Release of Information

The release of the examinee's score report by ARRT is governed by a policy that information about an individual shall be released only with that person's written consent. A section on the answer sheet asks whether the examinee wishes to have his/her score released to the educational program from which the examinee graduated. Release of scores to programs is a free service if requested at that time. Requests to send individual scores to schools after this time are subject to a service fee of \$15.00.

Do you wish to have your score released to the school from which you graduated? (Darken one circle only. Fill circle completely.)

SAMPLEYES ☐NO ☐

SIGNATURE

DATE

H. Re-Examination

Examinees who fail the examination may be assigned to the next examination subject to payment of a re-examination service fee. Failing examinees receive notification of the re-examination fee and postmarking deadline along with their score reports. If the re-examination fee is not postmarked by the indicated date, the examinee's name is removed from the list of examinees for the next administration. An examinee may choose not to be re-examined at the next administration date; however, if the examinee later decides to be re-examined at another date, the examinee must contact the ARRT and request the appropriate re-examination application form. An examinee must submit an application directly to the ARRT for each examination administration. Test scores earned as a state examinee may NOT be used for later application to the ARRT for certification.

I. Three Attempt, Three Year Limit

Effective January 1, 1994, applicants who are eligible for examination will be allowed three attempts to pass the certification examination. Examinees must complete the three attempts within a three year period of time. This applies only to

the examinations in radiography, nuclear medicine technology and radiation therapy technology. After three unsuccessful attempts or three years have expired, the individual is no longer eligible. The individual may obtain eligibility to retake the examination one additional time if the individual submits documentation indicating completion of remedial activities acceptable to the ARRT following the last participation in the examination. The fourth attempt must occur within the one-year period following the third unsuccessful attempt. Those failing the fourth attempt, or waiting longer than one year following the third unsuccessful attempt, may only become eligible by re-entering and graduating from an accredited educational program.

The options for remediation are as follows:

1. Independent Study

The individual studies the content areas for examination on his/her own. A minimum of 40 hours is required.

2. Study with an ARRT Certified Technologist

The individual studies the content areas for examination with an ARRT technologist certified in the examination category. A minimum of 20 hours is required. All 20 hours must be spent with the certified technologist.

3. Study with an Educator from an Accredited Educational Program

The individual studies the content area for examination with a program director or other educator from an approved radiologic technology program. A minimum of 10 hours is required. The 10 hours must be actual time spent with the educator.

J. Agreement of Applicants

Applicants for certification must, at the time of application, and on subsequent occasions when the registration of the certificate is renewed, agree to abide by the agreement included in Article III, Section 3.02 of the *ARRT Rules and Regulations*. A copy of the *ARRT Rules and Regulations* is included as Appendix D of this Handbook. Applicants should read the *Rules and Regulations* prior to submitting an application for examination.

K. Designating ARRT Certification and Registration

A certificate is issued to those who have met all qualifications and are otherwise eligible. The certificate confers upon the applicant the right to use the title Registered Technologist and its abbreviation "R.T.(ARRT)" in connection with his or her name so long as the registration of the certificate shall be in effect. Individuals registered by the ARRT are advised to use the symbol (ARRT) in connection with the "R.T." to avoid confusion with certification with any other source and to indicate the specific category or categories for which registration is held. The category designation should be listed between the "R.T." and the "(ARRT)" and should be listed as "(R)" for radiography, "(N)" for nuclear medicine technology, "(T)" for radiation therapy technology, "(CV)" for cardiovascular-interventional technology, "(M)" for mammography, "(CT)" for computed tomography, "(MR)" for magnetic resonance imaging, and "(QM)" for quality management.

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